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	APPLICATION NO.	FII	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
	10/001,521	1	0/26/2001	James C. Phillips	D8505-00002	2576	
	8933	7590	07/28/2006		EXAM	EXAMINER	
DUANE MORRIS, LLP IP DEPARTMENT					HARRELL, ROBERT B		
	30 SOUTH 17		EET		ART UNIT	PAPER NUMBER	
PHILADELPHIA, PA 19103-4196				·	2142		

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/001,521	PHILLIPS, JAMES C.		
Examiner	Art Unit		
Robert B. Harrell	2142		

	Robert B. Harrell	2142	
The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress
THE REPLY FILED 10 July 2006 FAILS TO PLACE THIS APPL			
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, af tice of Appeal (with appeal fee) in	Appeal. To avoid aba fidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expires 5 months from the mailing date	of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire is Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	ater than SIX MONTHS from the mailin (b). ONLY CHECK BOX (b) WHEN THI 06.07(f).	g date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date nave been filed is the date for purposes of determining the period of extender 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply orig than three months after the mailing da	of the fee. The approprince in the final Office.	iate extension fee ce action; or (2) as
2. The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed AMENDMENTS	nsion thereof (37 CFR 41.37(e)), to	o avoid dismissal of th	ns of the date of se appeal. Since
3. X The proposed amendment(s) filed after a final rejection,	but prior to the date of filing a brief	, will <u>not</u> be entered b	ecause
(a) They raise new issues that would require further co			
(b) ☐ They raise the issue of new matter (see NOTE belo	w);		
(c) They are not deemed to place the application in bet	ter form for appeal by materially re	educing or simplifying	the issues for
appeal; and/or (d)⊠ They present additional claims without canceling a	corresponding number of finally re	iected claims	
NOTE: See Continuation Sheet. (See 37 CFR 1.1	, ,	coled ciaims.	
4. The amendments are not in compliance with 37 CFR 1.12	, ,,	mnliant Amendment	(PTOL-324)
5. Applicant's reply has overcome the following rejection(s)		mphant Amendment	(1 102-02-1).
5. Newly proposed or amended claim(s) would be all		timely filed amendme	ent canceling the
non-allowable claim(s).	iowasie ii oasiiikoa iii a ooparate,	amory mod amondme	one contooning the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is provided that the status of the claim(s) is (or will be) as follows: Claim(s) allowed: NONE. Claim(s) objected to: NONE.	⊠ will not be entered, or b) ☐ wivided below or appended.	ill be entered and an e	explanation of
Claim(s) rejected: 1-19 and 23-44. Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e).			
 The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary 	vercome <u>all</u> rejections under appe y and was not earlier presented. S	al and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
10. ☐ The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attacl	ned.
11. ☑ The request for reconsideration has been considered bu	t does NOT place the application i	n condition for allowa	nce because:
of the reasons outlined above and in the Final Office Act			
12. Note the attached Information Disclosure Statement(s).	(P10/SB/08 or P10-1449) Paper N	NO(S)	_
13.		- /2//	7
		-8348 J	m
		Robert B. Harrell Primary Examiner	

Art Unit 2142

Continuation of 3. NOTE:

the changed scope of the claims would require further consideration, under 35 U.S.C., and/or search.